

Senate File 2406 - Enrolled

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SENATE FILE 2406

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1 3 AN ACT
1 4 RELATING TO APPOINTMENTS BY MEMBERS OF THE GENERAL ASSEMBLY TO
1 5 STATUTORY BOARDS, COMMISSIONS, COUNCILS, AND COMMITTEES,
1 6 ABOLISHING CERTAIN RELATED ENTITIES, AND INCLUDING EFFECTIVE
1 7 DATE AND APPLICABILITY PROVISIONS.
1 8
1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 10
1 11 Section 1. NEW SECTION. 2.32A APPOINTMENTS BY MEMBERS OF
1 12 THE GENERAL ASSEMBLY TO STATUTORY BOARDS, COMMISSIONS,
1 13 COUNCILS, AND COMMITTEES == PER DIEM AND EXPENSES.
1 14 1. A member of the general assembly who is charged with
1 15 making an appointment to a statutory board, commission,
1 16 council, or committee shall make the appointment prior to the
1 17 fourth Monday in January of the first regular session of each
1 18 general assembly and in accordance with section 69.16B. If
1 19 multiple appointing members are charged with making
1 20 appointments of public members to the same board, commission,
1 21 council, or committee, including as provided in section
1 22 333A.2, the appointing members shall consult with one another
1 23 in making the appointments. If the senate appointing member
1 24 for a legislative appointment is the president, majority
1 25 leader, or the minority leader, the appointing authority shall
1 26 consult with the other two leaders in making the appointment.
1 27 If the house of representatives appointing member is the
1 28 speaker, majority leader, or minority leader, the appointing
1 29 member shall consult with the other two leaders in making the
1 30 appointment.
1 31 2. Each appointing member shall inform the director of the
1 32 legislative services agency of the appointment and of the term
1 33 of the appointment. The legislative services agency shall
1 34 maintain an up-to-date listing of all appointments made or to
1 35 be made by members of the general assembly.
2 1 3. The legislative services agency shall inform each
2 2 appointee and each affected board, commission, council, or
2 3 committee of the appointment and of the term of the
2 4 appointment.
2 5 4. Unless otherwise specifically provided by law, a member
2 6 of the general assembly shall be paid, in accordance with
2 7 section 2.10, per diem and necessary travel and actual
2 8 expenses incurred in attending meetings of a statutory board,
2 9 commission, council, or committee to which the member is
2 10 appointed by a member of the general assembly.
2 11 Sec. 2. Section 2.41, Code 2007, is amended to read as
2 12 follows:
2 13 2.41 LEGISLATIVE COUNCIL CREATED.
2 14 A continuing legislative council of twenty-four members is
2 15 created. The council is composed of the president and
2 16 president pro tempore of the senate, the speaker and speaker
2 17 pro tempore of the house of representatives, the majority and
2 18 minority floor leaders of the senate, the chairperson of the
2 19 senate committee on appropriations, the minority party ranking
2 20 member of the senate committee on appropriations, ~~six~~ three
2 21 members of the senate appointed by the majority leader of the
2 22 senate, three members of the senate appointed by the minority
2 23 leader of the senate, the majority and minority floor leaders
2 24 of the house of representatives, the chairperson of the house
2 25 committee on appropriations, the minority party ranking member
2 26 of the house committee on appropriations, ~~and six~~ three
2 27 members of the house of representatives appointed by the
2 28 speaker of the house of representatives, and three members of
2 29 the house of representatives appointed by the minority leader
2 30 of the house of representatives. ~~Of the six members appointed~~
2 31 ~~by the majority leader of the senate and speaker of the house,~~
2 32 ~~three from each house shall be appointed from the majority~~
2 33 ~~party and three from each house shall be appointed from the~~
2 34 ~~minority party.~~ Members shall be appointed prior to the
3 1 fourth Monday in January of the first regular session of each
3 2 general assembly and shall serve for two-year terms ending
3 3 upon the convening of the following general assembly or when
3 3 their successors are appointed. Vacancies on the council,

3 4 including vacancies which occur when a member of the council
3 5 ceases to be a member of the general assembly, shall be filled
3 6 by the majority leader of the senate and the speaker of the
~~3 7 house respectively appointing authority who made the original~~
3 8 appointment. Insofar as possible at least two members of the
3 9 council from each house shall be reappointed. The council
3 10 shall hold regular meetings at a time and place fixed by the
~~3 11 chairperson of the council and shall meet at any other time~~
3 12 and place as the council deems necessary.
3 13 Sec. 3. Section 2A.4, Code 2007, is amended by adding the
3 14 following new subsection:
3 15 NEW SUBSECTION. 12. Maintenance of an up-to-date listing
3 16 of all appointments made or to be made by members of the
3 17 general assembly as required by section 2.32A and in
3 18 accordance with section 69.16B. The legislative services
3 19 agency may post on the general assembly's internet site
3 20 information regarding the organization and activities of
3 21 boards, commissions, councils, and committees to which members
3 22 of the general assembly make appointments.
3 23 Sec. 4. Section 2D.3, Code 2007, is amended to read as
3 24 follows:
3 25 2D.3 LEGISLATIVE BRANCH PROTOCOL OFFICER.
3 26 The legislative services agency shall employ a legislative
3 27 branch protocol officer to coordinate activities related to
3 28 state, national, and international visitors to the state
3 29 capitol or with an interest in the general assembly, and
3 30 related to travel of members of the general assembly abroad.
~~3 31 The protocol officer shall serve in a consultative capacity~~
~~3 32 and shall provide staff support to the international relations~~
~~3 33 advisory council.~~ The protocol officer shall also work with
3 34 the executive branch protocol officer to coordinate state,
3 35 national, and international relations activities. The
4 1 legislative branch protocol officer shall submit periodic
4 2 reports to the international relations committee of the
4 3 legislative council regarding the visits of state, national,
4 4 and international visitors and regarding international
4 5 activities.
4 6 Sec. 5. Section 2D.4, Code 2007, is amended to read as
4 7 follows:
4 8 2D.4 EXECUTIVE BRANCH PROTOCOL OFFICER.
4 9 The lieutenant governor, or the lieutenant governor's
4 10 designee, shall be the executive branch protocol officer. ~~The~~
~~4 11 protocol officer shall serve in a consultative capacity to the~~
~~4 12 international relations advisory council.~~ The protocol
4 13 officer shall work with the international relations committee
4 14 of the legislative council and the legislative branch protocol
4 15 officer in developing and implementing protocol for state,
4 16 national, and international visitors to the state capitol and
4 17 in improving coordination between the legislative and
4 18 executive branches in international relations activities.
4 19 Sec. 6. Section 7E.7, subsection 1, Code Supplement 2007,
4 20 is amended by striking the subsection.
4 21 Sec. 7. Section 7K.1, subsection 3, unnumbered paragraph
4 22 1, Code 2007, is amended to read as follows:
4 23 The board of directors of the foundation shall consist of
4 24 fifteen members ~~serving staggered three-year terms beginning~~
~~4 25 on May 1 of the year of appointment~~ who shall be appointed as
4 26 follows:
4 27 Sec. 8. Section 7K.1, subsection 3, Code 2007, is amended
4 28 by adding the following new paragraph:
4 29 NEW PARAGRAPH. d. The term of the members appointed by
4 30 the governor shall be for three years, staggered by the
4 31 governor, beginning upon the convening of a regular session of
4 32 the general assembly and ending upon the convening of a
4 33 regular session of the general assembly three years later.
4 34 The term of the members appointed by a member of the general
4 35 assembly shall be as provided in section 69.16B.
5 1 Sec. 9. Section 8A.204, Code Supplement 2007, is amended
5 2 by adding the following new subsection:
5 3 NEW SUBSECTION. 6. LEGISLATIVE INFORMATION. The board
5 4 shall allow representatives of the senate, house of
5 5 representatives, legislative services agency, and office of
5 6 citizens' aide to provide information to and seek information
5 7 from the board.
5 8 Sec. 10. Section 8A.221, subsection 3, paragraph a, Code
5 9 2007, is amended to read as follows:
5 10 a. The advisory council shall be composed of ~~nineteen~~
5 11 fourteen members including the following:
5 12 (1) Five persons appointed by the governor representing
5 13 the primary customers of IowaAccess.
5 14 (2) ~~Six~~ Five persons representing lawful custodians as

5 15 follows:

~~5 16 (a) One person representing the legislative branch, who~~
~~5 17 shall not be a member of the general assembly, to be appointed~~
~~5 18 jointly by the president of the senate, after consultation~~
~~5 19 with the majority and minority leaders of the senate, and by~~
~~5 20 the speaker of the house of representatives, after~~
~~5 21 consultation with the majority and minority leaders of the~~
~~5 22 house of representatives.~~

5 23 (b) (a) One person representing the judicial branch as
5 24 designated by the chief justice of the supreme court.

5 25 (c) (b) One person representing the executive branch as
5 26 designated by the governor.

5 27 (d) (c) One person to be appointed by the governor
5 28 representing cities who shall be actively engaged in the
5 29 administration of a city.

5 30 (e) (d) One person to be appointed by the governor
5 31 representing counties who shall be actively engaged in the
5 32 administration of a county.

5 33 (f) (e) One person to be appointed by the governor
5 34 representing the federal government.

5 35 (3) Four members to be appointed by the governor
6 1 representing a cross section of the citizens of the state.

~~6 2 (4) Four members of the general assembly, two from the~~
~~6 3 senate and two from the house of representatives, with not~~
~~6 4 more than one member from each chamber being from the same~~
~~6 5 political party. The two senators shall be designated by the~~
~~6 6 president of the senate after consultation with the majority~~
~~6 7 and minority leaders of the senate. The two representatives~~
~~6 8 shall be designated by the speaker of the house of~~
~~6 9 representatives after consultation with the majority and~~
~~6 10 minority leaders of the house of representatives. Legislative~~
~~6 11 members shall serve in an ex officio, nonvoting capacity. A~~
~~6 12 legislative member is eligible for per diem and expenses as~~
~~6 13 provided in section 2.10.~~

6 14 The advisory council shall allow representatives of the
6 15 senate, house of representatives, legislative services agency,
6 16 and office of citizens' aide to provide information to and
6 17 seek information from the advisory council.

6 18 Sec. 11. Section 8A.371, subsection 1, Code Supplement
6 19 2007, is amended to read as follows:

6 20 1. Four members of the general assembly serving as ex
6 21 officio, nonvoting members, two one representative to be
~~6 22 appointed by the speaker of the house from the membership of~~
~~6 23 the house, and two of representatives, one representative to~~
~~6 24 be appointed by the minority leader of the house of~~
~~6 25 representatives, one senator to be appointed by the president~~
~~6 26 of the senate, after consultation with the majority leader and~~
~~6 27 the minority leader of the senate, from the membership of the~~
~~6 28 senate and one senator to be appointed by the minority leader~~
~~6 29 of the senate.~~

6 30 Sec. 12. Section 8A.372, subsections 2 and 3, Code
6 31 Supplement 2007, are amended to read as follows:

6 32 2. The legislative members of the commission shall be
6 33 appointed to ~~four-year~~ terms of office, ~~two of which shall~~
~~6 34 expire every two years as provided in section 69.16B, unless~~
6 35 sooner terminated by a commission member ceasing to be a
7 1 member of the general assembly. Vacancies shall be filled by
7 2 appointment of the ~~speaker of the house or the president of~~
~~7 3 the senate, after consultation with the majority leader and~~
~~7 4 the minority leader of the senate, as the case may be,~~
7 5 original appointing authority for the unexpired term of their
7 6 predecessors.

7 7 3. The term of office of each appointive voting member of
7 8 the commission shall begin on the first of May of the
7 9 odd-numbered year in which the member is appointed.

7 10 Sec. 13. Section 12.28, subsection 1, paragraph b, Code
7 11 2007, is amended to read as follows:

7 12 b. "State agency" means a board, commission, bureau,
7 13 division, office, department, or branch of state government.
7 14 However, state agency does not mean the state board of
7 15 regents, institutions governed by the board of regents, or
7 16 authorities created under chapter 16, ~~16A~~, 175, 257C, 261A, or
7 17 327I.

7 18 Sec. 14. Section 12.30, subsection 1, paragraph a, Code
7 19 2007, is amended to read as follows:

7 20 a. "Authority" means a department, or public or
7 21 quasi-public instrumentality of the state including, but not
7 22 limited to, the authority created under chapter 12E, 16, ~~16A~~,
7 23 175, 257C, 261A, 327I, or 463C, which has the power to issue
7 24 obligations, except that "authority" does not include the
7 25 state board of regents or the Iowa finance authority to the

7 26 extent it acts pursuant to chapter 260C. "Authority" also
7 27 includes a port authority created under chapter 28J.
7 28 Sec. 15. Section 13B.2A, Code 2007, is amended to read as
7 29 follows:

7 30 13B.2A INDIGENT DEFENSE ADVISORY COMMISSION.

7 31 1. An indigent defense advisory commission is established
7 32 within the department to advise and make recommendations to
7 33 the legislature and the state public defender regarding the
7 34 hourly rates paid to court-appointed counsel and per case fee
7 35 limitations. These recommendations shall be consistent with
8 1 the constitutional requirement to provide effective assistance
8 2 of counsel to those indigent persons for whom the state is
8 3 required to provide counsel.

8 4 2. The advisory commission shall consist of ~~five~~ seven
8 5 members. The governor shall appoint three members, including
8 6 one member from nominations by the Iowa state bar association
8 7 and one member from nominations by the supreme court. ~~Two~~
8 8 Four members, ~~one~~ two from each chamber of the general
8 9 assembly, shall be appointed, with no more than one appointed
8 10 from the same political party from each chamber. The majority
8 11 leader of the senate, the minority leader of the senate, the
8 12 speaker of the house of representatives, and the minority
8 13 leader of the house of representatives shall each appoint one
8 14 legislative member. Each member shall serve a three-year
8 15 term, with initial terms to be staggered, except that
8 16 legislative members shall serve for terms as provided in
8 17 section 69.16B. No more than three members shall be licensed
8 18 to practice law in Iowa. The state public defender shall
8 19 serve as an ex officio member of the commission and shall
8 20 serve as the nonvoting chair of the commission.

8 21 3. The members of the commission are entitled to receive
8 22 reimbursement for actual expenses incurred as provided for in
8 23 section 7E.6, subsection 2, while engaged in the performance
8 24 of the duties of the commission. A legislative member is
8 25 eligible for per diem and expenses as provided in section
8 26 2.10.

8 27 4. The advisory commission shall file a written report
8 28 every three years with the governor and the general assembly
8 29 by January 1 of a year in which a report is due regarding the
8 30 recommendations and activities of the commission. The first
8 31 such report shall be due on January 1, 2003.

8 32 Sec. 16. Section 15.103, subsection 1, paragraph a, Code
8 33 2007, is amended to read as follows:

8 34 a. The Iowa economic development board is created,
8 35 consisting of fifteen voting members appointed by the governor
9 1 and seven ex officio, nonvoting members. The ex officio,
9 2 nonvoting members are four legislative members; one president,
9 3 or the president's designee, of the university of northern
9 4 Iowa, the university of Iowa, or Iowa state university of
9 5 science and technology designated by the state board of
9 6 regents on a rotating basis; and one president, or the
9 7 president's designee, of a private college or university
9 8 appointed by the Iowa association of independent colleges and
9 9 universities; and one superintendent, or the superintendent's
9 10 designee, of a community college, appointed by the Iowa
9 11 association of community college presidents. The legislative
9 12 members are two state senators, one appointed by the president
9 13 of the senate, after consultation with the majority leader of
9 14 the senate, and one appointed by the minority leader of the
9 15 senate, ~~after consultation with the president of the senate,~~
9 16 from their respective parties; and two state representatives,
9 17 one appointed by the speaker and one appointed by the minority
9 18 leader of the house of representatives from their respective
9 19 parties. Not more than eight of the voting members shall be
9 20 from the same political party. Beginning with the first
9 21 appointment to the board made after July 1, 2005, at least one
9 22 voting member shall have been less than thirty years of age at
9 23 the time of appointment. The governor shall appoint the
9 24 voting members of the board for a term of four years beginning
9 25 and ending as provided by section 69.19, subject to
9 26 confirmation by the senate, and the governor's appointments
9 27 shall include persons knowledgeable of the various elements of
9 28 the department's responsibilities.

9 29 Sec. 17. Section 15.421, subsection 2, paragraph b, Code
9 30 Supplement 2007, is amended to read as follows:

9 31 b. Four members of the general assembly shall serve as
9 32 nonvoting, ex officio members of the commission with two from
9 33 the senate and two from the house of representatives and not
9 34 more than one member from each chamber being from the same
9 35 political party. The two senators shall be designated one
10 1 member each by the president of the senate after consultation

10 2 with the majority leader of the senate, and by the minority
10 3 ~~leaders~~ leader of the senate. The two representatives shall
10 4 be designated one member each by the speaker of the house of
10 5 representatives after consultation ~~with the majority leader of~~
10 6 ~~the house of representatives, and by the minority leaders~~
10 7 leader of the house of representatives.

10 8 Sec. 18. Section 15E.63, subsection 2, Code 2007, is
10 9 amended to read as follows:

10 10 2. The board shall consist of five voting members and ~~two~~
10 11 four nonvoting advisory members who are members of the general
10 12 assembly. The five voting members shall be appointed by the
10 13 governor and confirmed by the senate pursuant to section 2.32.
10 14 The five voting members shall be appointed to five-year
10 15 staggered terms that shall be structured to allow the term of
10 16 one member to expire each year. One nonvoting member shall be
10 17 appointed by the majority leader of the senate after
10 18 consultation with the president of the senate ~~and the minority~~
10 19 ~~leader of the senate and one nonvoting member shall be~~
10 20 appointed by the minority leader of the senate. One nonvoting
10 21 member shall be appointed by the speaker of the house of
10 22 representatives after consultation with the majority leader of
10 23 the house of representatives and one nonvoting member shall be
10 24 appointed by the minority leaders leader of the house of
10 25 representatives. The nonvoting members shall ~~be appointed for~~
10 26 ~~two-year serve terms which shall expire upon the convening of~~
10 27 ~~a new general assembly as provided in section 69.16B.~~

10 28 Vacancies shall be filled in the same manner as the
10 29 appointment of the original members. Members shall be
10 30 compensated by the board for direct expenses and mileage but
10 31 members shall not receive a director's fee, per diem, or
10 32 salary for service on the board. Members shall be selected
10 33 based upon demonstrated expertise and competence in the
10 34 supervision of investment managers, in the fiduciary
10 35 management of investment funds, or in the management and
11 1 administration of tax credit allocation programs. Members
11 2 shall not have an interest in any person to whom a tax credit
11 3 is allocated and issued by the board.

11 4 Sec. 19. Section 17A.8, subsection 1, Code 2007, is
11 5 amended to read as follows:

11 6 1. There is created the "Administrative Rules Review
11 7 Committee." The committee shall be bipartisan and shall be
11 8 composed of the following members:

11 9 a. ~~Five~~ Three senators appointed by the majority leader of
11 10 the senate ~~and two senators appointed by the minority leader~~
11 11 of the senate.

11 12 b. ~~Five~~ Three representatives appointed by the speaker of
11 13 the house of representatives and two representatives appointed
11 14 by the minority leader of the house of representatives.

11 15 Sec. 20. Section 28.3, subsection 4, Code 2007, is amended
11 16 to read as follows:

11 17 4. In addition to the voting members, the Iowa board shall
11 18 include ~~six~~ four members of the general assembly with not more
11 19 than ~~two members~~ one member from each chamber being from the
11 20 same political party. The ~~three~~ two senators shall be
11 21 appointed one each by the majority leader of the senate after
11 22 consultation with the president of the senate, and by the
11 23 minority leader of the senate. The ~~three~~ two representatives
11 24 shall be appointed one each by the speaker of the house of
11 25 representatives after consultation with the majority leader of
11 26 the house of representatives, and by the minority leaders

11 27 leader of the house of representatives. Legislative members
11 28 shall serve in an ex officio, nonvoting capacity. A
11 29 legislative member is eligible for per diem and expenses as
11 30 provided in section 2.10.

11 31 Sec. 21. Section 28B.1, subsections 1 and 2, Code 2007,
11 32 are amended to read as follows:

11 33 1. ~~Five~~ Three members of the senate to be appointed by the
11 34 majority leader of the senate ~~and two members of the senate to~~
11 35 be appointed by the minority leader of the senate.

12 1 2. ~~Five~~ Three members of the house of representatives to
12 2 be appointed by the speaker of the house of representatives
12 3 and two members of the house of representatives to be
12 4 appointed by the minority leader of the house of
12 5 representatives.

12 6 Sec. 22. NEW SECTION. 69.16B STATUTORY BOARDS,
12 7 COMMISSIONS, COUNCILS, AND COMMITTEES == APPOINTMENTS BY
12 8 MEMBERS OF GENERAL ASSEMBLY == TERMS == DISSOLUTION.

12 9 1. Unless otherwise specifically provided by law, all of
12 10 the following shall apply to an appointment to a statutory
12 11 board, commission, council, or committee made by a member or
12 12 members of the general assembly pursuant to section 2.32A:

12 13 a. An appointment shall be at the pleasure of the
12 14 appointing member.
12 15 b. Unless an appointee is replaced by the appointing
12 16 member, the regular term of appointment shall be two years,
12 17 beginning upon the convening of a general assembly and ending
12 18 upon the convening of the following general assembly, or when
12 19 the appointee's successor is appointed, whichever occurs
12 20 later.

12 21 c. Unless otherwise provided, a vacancy exists if a member
12 22 of the general assembly serving on a statutory board,
12 23 commission, council, or committee ceases to be a member of the
12 24 general assembly. A vacancy shall be filled for the unexpired
12 25 portion of the term in the same manner as the original
12 26 appointment.

12 27 2. Unless otherwise specifically provided by law, a board,
12 28 commission, council, committee, task force, or other temporary
12 29 body created by an uncodified statute that provides for
12 30 issuance of a final report by the body is dissolved on or
12 31 about the date the body's final report is issued.

12 32 Sec. 23. NEW SECTION. 69.16C MINORITY REPRESENTATION.

12 33 All appointive boards, commissions, committees, and
12 34 councils of the state established by the Code if not otherwise
12 35 provided by law should provide, to the extent practicable, for
13 1 minority representation. All appointing authorities of
13 2 boards, commissions, committees, and councils subject to this
13 3 section should consider qualified minority persons for
13 4 appointment to boards, commissions, committees, and councils.
13 5 For purposes of this section, "minority" means a minority
13 6 person as defined in section 15.102.

13 7 Sec. 24. Section 80B.6, unnumbered paragraph 2, Code 2007,
13 8 is amended to read as follows:

13 9 One senator appointed by the president of the senate after
13 10 consultation with the majority leader ~~and the minority leader~~
13 11 of the senate ~~and one representative, one senator appointed by~~
13 12 ~~the minority leader of the senate, one representative~~
13 13 appointed by the speaker of the house of representatives, and
13 14 one representative appointed by the minority leader of the
13 15 house of representatives are also ex officio, nonvoting
13 16 members of the council who shall serve terms as provided in
13 17 section 69.16B.

13 18 Sec. 25. Section 84A.1A, subsection 1, Code 2007, is
13 19 amended to read as follows:

13 20 1. An Iowa workforce development board is created,
13 21 consisting of nine voting members appointed by the governor
13 22 and eight ex officio, nonvoting members. The ex officio,
13 23 nonvoting members are four legislative members; one president,
13 24 or the president's designee, of the university of northern
13 25 Iowa, the university of Iowa, or Iowa state university of
13 26 science and technology, designated by the state board of
13 27 regents on a rotating basis; one representative from the
13 28 largest statewide public employees' organization representing
13 29 state employees; one president, or the president's designee,
13 30 of an independent Iowa college, appointed by the Iowa
13 31 association of independent colleges and universities; and one
13 32 superintendent, or the superintendent's designee, of a
13 33 community college, appointed by the Iowa association of
13 34 community college presidents. The legislative members are two
13 35 state senators, one appointed by the president of the senate,
14 1 after consultation with the majority leader of the senate, and
14 2 one appointed by the minority leader of the senate, ~~after~~
14 3 ~~consultation with the president of the senate,~~ from their
14 4 respective parties; and two state representatives, one
14 5 appointed by the speaker of the house of representatives after
14 6 consultation with the majority leader of the house of
14 7 representatives, and one appointed by the minority leaders
14 8 leader of the house of representatives from their respective
14 9 parties. The legislative members shall serve for terms as
14 10 provided in section 69.16B. Not more than five of the voting

14 11 members shall be from the same political party. Of the nine
14 12 voting members, one member shall represent a nonprofit
14 13 organization involved in workforce development services, four
14 14 members shall represent employers, and four members shall
14 15 represent nonsupervisory employees. Of the members appointed
14 16 by the governor to represent nonsupervisory employees, two
14 17 members shall be from statewide labor organizations, one
14 18 member shall be an employee representative of a labor
14 19 management council, and one member shall be a person with
14 20 experience in worker training programs. The governor shall
14 21 consider recommendations from statewide labor organizations
14 22 for the members representing nonsupervisory employees. The
14 23 governor shall appoint the nine voting members of the

14 24 workforce development board for a term of four years beginning
14 25 and ending as provided by section 69.19, subject to
14 26 confirmation by the senate, and the governor's appointments
14 27 shall include persons knowledgeable in the area of workforce
14 28 development.

14 29 Sec. 26. Section 97D.4, subsection 1, unnumbered paragraph
14 30 1, Code 2007, is amended to read as follows:
14 31 A public retirement systems committee is established. The
14 32 committee ~~consists~~ shall consist of five three members of the
14 33 senate appointed by the majority leader of the senate ~~in~~
~~14 34 consultation with, two members of the senate appointed by the~~
14 35 minority leader ~~and five of the senate, three members of the~~
15 1 house of representatives appointed by the speaker of the house
15 2 ~~in consultation with of representatives, and two members of~~
~~15 3 the house of representatives appointed by the minority leader~~
15 4 ~~of the house of representatives.~~ The committee shall elect a
15 5 chairperson and vice chairperson. Meetings may be called by
15 6 the chairperson or a majority of the members.

15 7 Sec. 27. Section 216A.53, Code 2007, is amended to read as
15 8 follows:
15 9 216A.53 TERM OF OFFICE.
15 10 Four of the members appointed to the initial commission
15 11 shall be designated by the governor to serve two-year terms,
15 12 and five shall be designated by the governor to serve
15 13 four-year terms. The legislative members of the commission
15 14 shall be appointed to ~~four-year~~ terms of office, ~~two of which~~
~~15 15 shall expire every two years as provided in section 69.16B,~~
15 16 unless sooner terminated by a commission member ceasing to be
15 17 a member of the general assembly. Succeeding appointments of
~~15 18 voting members~~ shall be for a term of four years. Vacancies
15 19 in the membership shall be filled for the unexpired term in
15 20 the same manner as the original appointment.

15 21 Sec. 28. Section 216A.132, subsection 1, paragraph c, Code
15 22 Supplement 2007, is amended to read as follows:
15 23 c. The chief justice of the supreme court shall appoint
15 24 two additional members currently serving as district judges.
15 25 Two members of the senate and two members of the house of
15 26 representatives shall be ex officio members and shall be
15 27 appointed by the majority and minority leaders of the senate
15 28 and the speaker and minority leader of the house of
15 29 representatives pursuant to section 69.16 and shall serve
~~15 30 terms as provided in section 69.16B. Members Nonlegislative~~
~~15 31 members~~ appointed pursuant to this paragraph shall serve for
15 32 four-year terms beginning and ending as provided in section
15 33 69.19 unless the member ceases to serve as a district court
15 34 judge ~~or as a member of the senate or of the house of~~
~~15 35 representatives.~~

16 1 Sec. 29. Section 217.41A, subsection 2, Code 2007, is
16 2 amended to read as follows:
16 3 2. The task force shall consist of no more than nine
16 4 voting members, selected by the director of human services,
16 5 who represent entities with expertise in developing or
16 6 implementing electronic health records, including but not
16 7 limited to the United States veterans administration
16 8 facilities in the state, multifacility hospital systems in the
16 9 state, Des Moines university, the university of Iowa hospitals
16 10 and clinics, and the Iowa healthcare collaborative. In
16 11 addition, two members of the senate, with one each appointed
16 12 by the president of the senate after consultation with the
16 13 majority leader, and by the minority leader of the senate, two
16 14 members of the house of representatives, with one each
16 15 appointed by the speaker of the house of representatives after
16 16 consultation with the majority leader of the house of
~~16 17 representatives, and by~~ the minority leader of the house of
16 18 representatives, and the commissioner of insurance shall serve
16 19 as ex officio, nonvoting members of the task force. The
~~16 20 legislator members shall serve terms as provided in section~~
~~16 21 69.16B.~~

16 22 Sec. 30. Section 225C.5, subsection 1, paragraph j, Code
16 23 2007, is amended to read as follows:
16 24 j. In addition to the voting members, the membership shall
16 25 include four members of the general assembly with one member
16 26 designated by each of the following: the majority leader of
16 27 the senate, the minority leader of the senate, the speaker of
16 28 the house of representatives, and the minority leader of the
16 29 house of representatives. A legislative member serves for a
~~16 30 term as provided in section 69.16B~~ in an ex officio, nonvoting
16 31 capacity and is eligible for per diem and expenses as provided
16 32 in section 2.10.

16 33 Sec. 31. Section 225C.48, subsection 1, paragraph a, Code
16 34 2007, is amended to read as follows:

16 35 a. An eleven-member comprehensive family support council
17 1 is created in the department. The members of the council
17 2 shall be appointed by the following officials as follows:
17 3 governor, ~~five members~~; majority leader of the senate, ~~three~~
17 4 ~~members~~; and speaker of the house, ~~three members~~. At least
17 5 ~~three~~ five of the governor's appointments ~~and one of each~~
17 6 ~~legislative chamber's appointments~~ shall be a family member of
17 7 an individual with a disability as defined in section 225C.47.
17 8 At least five of the ~~members~~ appointments shall be current or
17 9 former service consumers or family members of such service
17 10 consumers. Members shall serve for three-year staggered
17 11 terms. A vacancy on the council shall be filled in the same
17 12 manner as the original appointment.

17 13 Sec. 32. Section 231.11, Code 2007, is amended to read as
17 14 follows:

17 15 231.11 COMMISSION ESTABLISHED.

17 16 The commission of elder affairs is established which shall
17 17 consist of eleven members. ~~Two members~~ One member each shall
17 18 be appointed by the president of the senate, after
17 19 consultation with the majority leader of the senate, and by
17 20 the minority leader of the senate, from the members of the
17 21 senate to serve as ex officio, nonvoting members ~~with no more~~
17 22 ~~than one member being appointed from the same political party.~~
17 23 ~~Two members~~ One member each shall be appointed by the speaker
17 24 of the house of representatives and by the minority leader of
17 25 the house of representatives, from the members of the house of
17 26 representatives to serve as ex officio, nonvoting members ~~with~~
17 27 ~~no more than one member being appointed from the same~~
17 28 ~~political party.~~ Seven members shall be appointed by the
17 29 governor subject to confirmation by the senate. Not more than
17 30 a simple majority of the governor's appointees shall belong to
17 31 the same political party. At least four of the seven members
17 32 appointed by the governor shall be fifty-five years of age or
17 33 older when appointed.

17 34 Sec. 33. Section 231.12, Code 2007, is amended to read as
17 35 follows:

18 1 231.12 TERMS.

18 2 All members of the commission appointed by the governor
18 3 shall be appointed for terms of four years, with staggered
18 4 expiration dates. The terms of office of members appointed by
18 5 the governor shall commence and end as provided by section
18 6 69.19. Legislative members of the commission shall serve
18 7 terms of office as provided in section 69.16B. A vacancy on
18 8 the commission shall be filled for the unexpired term of the
18 9 vacancy in the same manner as the original appointment was
18 10 made. If a legislative member ceases to be a member of the
18 11 general assembly the legislative member may continue to serve
18 12 until a successor is appointed.

18 13 Sec. 34. Section 231.58, subsection 2, Code 2007, is
18 14 amended to read as follows:

18 15 2. The legislative members of the unit shall be appointed
18 16 as follows: two members of the senate, with one each
18 17 appointed by the majority leader of the senate, after
18 18 consultation with the president of the senate, and by the
18 19 minority leader of the senate, and two members of the house of
18 20 representatives with one each appointed by the speaker of the
18 21 house of representatives, after consultation with the majority
18 22 leader of the house of representatives, and by the minority
18 23 leader of the house of representatives.

18 24 Sec. 35. Section 237A.21, subsection 3, paragraph m, Code
18 25 2007, is amended to read as follows:

18 26 m. ~~Two~~ Four legislators. Notwithstanding subsection 2,
18 27 the legislators shall be appointed in a manner so that both
18 28 major political parties are represented one each by the
18 29 majority leader of the senate, the minority leader of the
18 30 senate, the speaker of the house of representatives, and the
18 31 minority leader of the house of representatives for terms as
18 32 provided in section 69.16B.

18 33 Sec. 36. Section 249A.4B, subsection 2, paragraph g, Code
18 34 2007, is amended to read as follows:

18 35 g. The following members of the general assembly, each for
19 1 a term of two years as provided in section 69.16B:

19 2 (1) Two members of the house of representatives, one
19 3 appointed by the speaker of the house of representatives and
19 4 one appointed by the minority leader of the house of
19 5 representatives from their respective parties.

19 6 (2) ~~One member~~ Two members of the senate ~~from each of the~~
19 7 ~~two major political parties, one~~ appointed by the president of
19 8 the senate, after consultation with the majority leader of the
19 9 senate, and one appointed by the minority leader of the
19 10 senate.

19 11 Sec. 37. Section 249J.20, Code 2007, is amended by adding
19 12 the following new subsection:

19 13 NEW SUBSECTION. 1A. The members of the council shall
19 14 serve terms as provided in section 69.16B.

19 15 Sec. 38. Section 252B.18, subsection 1, paragraph b, Code
19 16 2007, is amended to read as follows:

19 17 b. The legislative members of the committee shall be
19 18 appointed as follows: one senator each by the majority leader
19 19 of the senate, after consultation with the president of the
19 20 senate, and by the minority leader of the senate, and one
19 21 member of the house of representatives each by the speaker of
19 22 the house of representatives, after consultation with the
19 23 majority leader of the house of representatives, and by the
19 24 minority leader of the house of representatives. ~~Members The~~
19 25 legislative members shall serve for terms as provided in
19 26 section 69.16B. Nonlegislative members shall serve staggered
19 27 terms of two years. Appointments shall comply with sections
19 28 69.16 and 69.16A. Vacancies shall be filled by the original
19 29 appointing authority and in the manner of the original
19 30 appointments.

19 31 Sec. 39. Section 256.32, subsections 2 and 4, Code 2007,
19 32 are amended to read as follows:

19 33 2. The council may also include as ex officio members the
19 34 following persons, as determined by the voting members of the
19 35 council:

- 20 1 a. The state future farmers of America president.
- 20 2 b. The current state future farmers of America alumni
- 20 3 association president.
- 20 4 c. The current postsecondary agriculture students
- 20 5 president.
- 20 6 d. The current young farmers educational association
- 20 7 president.
- 20 8 e. A state consultant in agricultural education.
- 20 9 f. The secretary of agriculture or the secretary's
- 20 10 designee.

20 11 g. ~~A member~~ Two members of each house of the general
20 12 assembly. This membership shall be bipartisan in composition
20 13 and one member each shall be selected by the president of the
20 14 senate, after consultation with the majority leader of the
20 15 senate, and by the minority leader of the senate, and one
20 16 member each shall be selected by the speaker of the house of
20 17 representatives and by the minority leader of the house of
20 18 representatives.

20 19 4. The term of membership is three years. The terms shall
20 20 be staggered so that three of the terms end each year, but no
20 21 member serving on the initial council shall serve less than
20 22 one year. The governor shall determine the length of the
20 23 initial terms of office. However, the terms of office for
20 24 members of the general assembly shall be as provided in
20 25 section 69.16B.

20 26 Sec. 40. Section 261D.3, subsection 3, Code 2007, is
20 27 amended to read as follows:

20 28 3. ~~The Nonlegislative~~ members shall serve two-year terms
20 29 except as otherwise provided under the terms of the compact.
20 30 Legislative members shall serve two-year terms as provided in
20 31 section 69.19B. Nonlegislative members shall serve without
20 32 compensation, but shall receive their actual and necessary
20 33 expenses and travel. Legislative members shall receive actual
20 34 and necessary expenses pursuant to sections 2.10 and 2.12.
20 35 Vacancies on the commission shall be filled for the unexpired
21 1 portion of the term in the same manner as the original
21 2 appointments. If a member ceases to be a member of the
21 3 general assembly, the member shall no longer serve as a member
21 4 of the commission.

21 5 Sec. 41. Section 272B.2, Code 2007, is amended to read as
21 6 follows:

21 7 272B.2 EDUCATION COMMISSION OF THE STATES.

21 8 Article III, paragraph 1, of the compact notwithstanding,
21 9 the members of the education commission of the states
21 10 representing this state consist of the governor, two
21 11 nonlegislative members appointed by the governor, two members
21 12 of the senate with one member appointed by the majority leader
21 13 of the senate and one member appointed by the minority leader
21 14 of the senate, and two members of the house of representatives
21 15 with one member appointed by the speaker of the house of
21 16 representatives and one member appointed by the minority
21 17 leader of the house of representatives. ~~The Nonlegislative~~
21 18 members shall serve four-year terms and legislative members
21 19 shall serve terms as provided in section 69.16B.

21 20 Nonlegislative members shall serve on the education commission
21 21 of the states without compensation, but shall receive their

21 22 actual and necessary expenses and travel. Legislative members
21 23 shall receive per diem and actual and necessary expenses and
21 24 travel pursuant to sections 2.10 and 2.12. Vacancies on the
21 25 commission shall be filled for the unexpired portion of the
21 26 term in the same manner as the original appointments. If a
21 27 member ceases to be a member of the general assembly, the
21 28 member shall no longer serve as a member of the education
21 29 commission of the states.

21 30 Sec. 42. Section 280A.2, subsection 8, Code 2007, is
21 31 amended to read as follows:

21 32 8. TERMS OF MEMBERS. The members shall be appointed to
21 33 three-year staggered terms and the terms shall commence and
21 34 end as provided by section 69.19, except that the appointment
21 35 and terms of legislators shall be as provided in section

22 1 69.16B. If a vacancy occurs, a successor shall be appointed
22 2 to serve the unexpired term. A successor shall be appointed
22 3 in the same manner and subject to the same qualifications as
22 4 the original appointment to serve the unexpired term.

22 5 Sec. 43. Section 333A.2, subsection 1, paragraph d, Code
22 6 2007, is amended to read as follows:

22 7 d. An operations research analyst experienced in cost
22 8 effectiveness analysis of county services appointed jointly
22 9 by, and to serve at the pleasure of, the legislative council
22 10 the majority and minority leaders of the senate and the
22 11 speaker and the minority leader of the house of
22 12 representatives.

22 13 Sec. 44. Section 384.13, unnumbered paragraph 1, Code
22 14 2007, is amended to read as follows:

22 15 As used in this division, unless the context otherwise
22 16 requires, "committee" means the city finance committee and
22 17 "director" means the director of the department of management.

22 18 ~~A nine-member~~ An eight-member city finance committee is
22 19 created. Members of the committee are:

22 20 Sec. 45. Section 384.13, subsection 5, Code 2007, is
22 21 amended by striking the subsection.

22 22 Sec. 46. Section 423.9, subsection 3, unnumbered paragraph
22 23 1, Code 2007, is amended to read as follows:

22 24 Four representatives are authorized to be members of the
22 25 governing board established pursuant to the agreement and to
22 26 represent Iowa before that body as one vote. The legislator
22 27 representatives shall serve terms as provided in section

22 28 69.16B. The representatives shall be appointed as follows:

22 29 Sec. 47. Section 455B.851, subsection 2, paragraph b, Code
22 30 Supplement 2007, is amended to read as follows:

22 31 b. The four nonvoting, ex officio members shall consist of
22 32 four members of the general assembly, two from the senate and
22 33 two from the house of representatives, with not more than one
22 34 member from each chamber being from the same political party.

22 35 The two senators shall be designated one member each by the
23 1 majority leader of the senate after consultation with the
23 2 president and by the minority leader of the senate. The two
23 3 representatives shall be designated one member each by the
23 4 speaker of the house of representatives after consultation
23 5 with the majority leader of the house of representatives, and
23 6 by the minority leaders leader of the house of
23 7 representatives.

23 8 Sec. 48. Section 466A.3, subsection 1, paragraph b, Code
23 9 2007, is amended to read as follows:

23 10 b. The board shall also include four members of the
23 11 general assembly who shall serve as ex officio, nonvoting
23 12 members. Not more than one member from each house shall be
23 13 from the same political party. Two state senators shall be
23 14 appointed, one by the majority leader of the senate and one by
23 15 the minority leader of the senate. Two state representatives
23 16 shall be appointed, one by the speaker of the house of
23 17 representatives and one by the minority leader of the house of
23 18 representatives. The legislator members shall serve terms as

23 19 provided in section 69.16B. A legislator member may designate
23 20 another person to attend a board meeting if the member is
23 21 unavailable. Only the legislator member is eligible for per
23 22 diem and expenses as provided in section 2.10.

23 23 Sec. 49. Section 473.11, subsection 3, unnumbered
23 24 paragraph 1, Code 2007, is amended to read as follows:

23 25 An energy fund disbursement council is established. The
23 26 council shall be composed of the governor or the governor's
23 27 designee, the director of the department of management, who
23 28 shall serve as the council's chairperson, the administrator of
23 29 the division of community action agencies of the department of
23 30 human rights, a designee of the director of the department of
23 31 natural resources who is knowledgeable in the field of energy
23 32 conservation, and a designee of the director of transportation

23 33 who is knowledgeable in the field of energy conservation. The
23 34 council shall include as nonvoting members two members of the
23 35 senate with one each appointed by the president of the senate,
24 1 after consultation with the majority leader of the senate, and
24 2 by the minority leader of the senate, and two members of the
24 3 house of representatives with one each appointed by the
24 4 speaker of the house of representatives, after consultation
24 5 with the majority leader of the house of representatives, and
24 6 by the minority leader of the house of representatives. The
24 7 legislative members shall be appointed upon the convening and
24 8 for the period of each general assembly. Not more than one
24 9 member from each house shall be of the same political party.
24 10 The council shall be staffed by the department of natural
24 11 resources. The attorney general shall provide legal
24 12 assistance to the council.

24 13 Sec. 50. Section 514E.2, subsection 2, paragraph f, Code
24 14 2007, is amended to read as follows:
24 15 f. ~~Two~~ Four members of the general assembly, one of whom
24 16 shall be appointed by the speaker of the house ~~and of~~
24 17 ~~representatives, one of whom shall be appointed by the~~
24 18 ~~minority leader of the house of representatives, one of whom~~
24 19 ~~shall be appointed by the president of the senate, after~~
24 20 ~~consultation with the majority leader and the minority leader~~
24 21 ~~of the senate, and one of whom shall be appointed by the~~
24 22 ~~minority leader of the senate, who shall be ex officio,~~
24 23 nonvoting members.

24 24 Sec. 51. Section 514I.5, subsection 1, paragraph e, Code
24 25 Supplement 2007, is amended to read as follows:
24 26 e. Two members of the senate and two members of the house
24 27 of representatives, serving as ex officio, nonvoting members.
24 28 The legislative members of the board shall be appointed one
24 29 each by the majority leader of the senate, after consultation
24 30 with the president of the senate, and by the minority leader
24 31 of the senate, and by the speaker of the house of
24 32 representatives, after consultation with the majority leader
24 33 of the house of representatives, and by the minority leader of
24 34 the house of representatives. Legislative members shall
24 35 receive compensation pursuant to section 2.12.

25 1 Sec. 52. Section 907B.3, Code 2007, is amended to read as
25 2 follows:
25 3 907B.3 STATE COUNCIL.
25 4 The state council established in section 907B.2 shall
25 5 consist of ~~five~~ seven members plus the compact administrator.
25 6 The council shall include at least one member from a minority
25 7 group. The chief justice of the supreme court shall appoint
25 8 one member to represent the judicial branch. The president of
25 9 the senate ~~and the minority leader of the senate~~ shall each
25 10 appoint one member to represent the senate. The speaker of
25 11 the house of representatives ~~and the minority leader of the~~
25 12 ~~house of representatives~~ shall each appoint one member to
25 13 represent the house of representatives. The governor shall
25 14 appoint one member to represent the executive branch and one
25 15 member to represent crime victim groups. The governor, in
25 16 consultation with the legislative and judicial branches, shall
25 17 also appoint the compact administrator.

25 18 Sec. 53. Sections 2.35, 2.36, 2D.1, 16A.1, 16A.3, 16A.4,
25 19 16A.5, 16A.6, 16A.7, 16A.8, 16A.9, 16A.10, 16A.11, 16A.12,
25 20 16A.13, 16A.14, 16A.15, 16A.16, 16A.17, 16A.18, 16A.19,
25 21 16A.20, 16A.21, 16A.22, and 602.1514, Code 2007, and section
25 22 16A.2, Code Supplement 2007, are repealed.

25 23 Sec. 54. 2005 Iowa Acts, chapter 88, and chapter 158,
25 24 section 52, are repealed.

25 25 Sec. 55. 2006 Iowa Acts, chapter 1145, section 4, as
25 26 amended by 2007 Iowa Acts, chapter 211, section 40, is
25 27 repealed.

25 28 Sec. 56. 2006 Iowa Acts, chapter 1184, section 16,
25 29 subsection 1, paragraph b, is amended to read as follows:
25 30 b. It is the intent of the general assembly that effective
25 31 July 1, 2009, placements at the Iowa juvenile home will be
25 32 limited to females and that placements of boys at the home
25 33 will be diverted to other options. ~~The department shall~~
25 34 ~~utilize a study group to make recommendations on the options~~
25 35 ~~for diversion of placements of boys and the study group shall~~
26 1 ~~report on or before July 1, 2007, to the persons designated by~~
26 2 ~~this division of this Act to receive reports. Leadership for~~
26 3 ~~the study group shall be provided by the department of human~~
26 4 ~~services. The study group membership shall also include but~~
26 5 ~~is not limited to two departmental service area administrators~~
26 6 ~~or their designees, a representative of the division of the~~
26 7 ~~commission on the status of women of the department of human~~
26 8 ~~rights, a member of the council on human services, a~~

~~26 9 departmental division administrator, two representatives of~~
~~26 10 juvenile court services, a representative of the division of~~
~~26 11 criminal and juvenile justice planning of the department of~~
~~26 12 human rights, and two representatives of child welfare service~~
~~26 13 provider agencies. In addition, the study group membership~~
~~26 14 shall include four members of the general assembly so that the~~
~~26 15 majority and minority parties of both chambers are~~
~~26 16 represented. Legislative members are eligible for~~
~~26 17 reimbursement of actual expenses paid under section 2.10.~~

26 18 Sec. 57. 2006 Iowa Acts, chapter 1185, section 43, is
26 19 repealed.

26 20 Sec. 58. EFFECTIVE DATE AND APPLICABILITY PROVISIONS.
26 21 This Act, being deemed of immediate importance, takes effect
26 22 upon enactment. This Act applies to appointees named by a
26 23 member or members of the general assembly before, on, or after
26 24 the effective date of this Act.

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JOHN P. KIBBIE
26 29 President of the Senate
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PATRICK J. MURPHY
26 33 Speaker of the House
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27 1 I hereby certify that this bill originated in the Senate and
27 2 is known as Senate File 2406, Eighty-second General Assembly.

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27 6

MICHAEL E. MARSHALL
27 7 Secretary of the Senate

27 8 Approved _____, 2008

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27 11

CHESTER J. CULVER
27 12 Governor
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